

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

VELERON HOLDING, B.V.,  
Plaintiff,  
v.  
BNP PARIBAS SA, *et al.*  
Defendants.

12 Civ. 5966 (CM)

**DECLARATION OF REMI LEFEVRE-MOULENQ IN SUPPORT OF MOTION TO  
DISMISS FOR LACK OF PERSONAL JURISDICTION AND MOTION TO DISMISS  
FOR FORUM NON CONVENIENS**

**REMI LEFEVRE-MOULENQ**, affirms the following under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. From March 2007 to October 2009, I was the Global Head of Strategic Equity of the BNP Paribas (“BNPP”). BNPP is a French public limited company (société anonyme), registered and headquartered in Paris, France.

2. I understand that Plaintiff Veleron Holding, B.V. has filed a complaint in the Federal District Court for the Southern District of New York against, among others, BNPP (the “New York Proceeding”).

3. I submit this affidavit in support of my Motion to Dismiss on the ground of Forum Non Conveniens. I do so based on my personal knowledge and inquiry into events surrounding the New York Proceeding.

4. I am a citizen and resident of FRANCE. Currently, I reside in PARIS, FRANCE and work in PARIS, FRANCE.

5. The key BNPP employees involved in the negotiation of the Credit Agreement and other documents that form the basis of this dispute were and are based in Paris, France and London, England.



6. The BNPP signatories to the Credit Agreement and other documents that form the basis of this dispute were and are located in Paris, France and London, England.

7. The key BNPP employees involved in discussions with Russian Machines regarding the restructuring of the Credit Agreement in the period 30 September to 2 October 2008 were and are located in Paris, France and London, England.

8. To the best of my knowledge, BNPP employees (both current and former) who are likely to be key substantive witnesses of fact regarding the events which form the substance of the New York Proceeding all located outside the US as follows:

- Enna Pariset; London, England
- Jean-Daniel Lorenzo; Aix en Provence, France
- Remi Lefevre-moulenq; Paris, France
- Tangi Le Calvez; Paris, France
- William Rawley; London, England

9. Only a handful of the current and former BNPP employees involved in the events which form the substance of the New York Proceeding are currently located in the United States.

10. The vast majority of BNPP's documents relating to the events which form the substance of the New York Proceeding are located in Paris, France or London, England and not in the United States.

11. To the best of my knowledge, all employees of Russian Machines with whom I interacted at the time of the events which form the substance of the New York Proceeding were and are located outside the United States.



12. To the best of my knowledge, BNPP did not at the time of the events which form the substance of the New York Proceeding have any contacts with the Plaintiff in the State of New York or any other place in the United States.

13. Appearance at trial in the United States would be burdensome, disruptive and costly to BNPP because the vast majority of BNPP's witnesses and documents related to the events which form the substance of the New York Proceeding are located in Paris, France or London, England.

14. In addition, BNPP will consent to jurisdiction in any appropriate court in London, England;

15. BNPP will agree that any applicable statute of limitations that had not already expired as of the date of the filing of the Complaint was tolled while this action was pending here;

16. BNPP will produce any documents and current employees located outside London to the same extent as if they were located in London; and

17. BNPP will not contest the validity of any final, non-appealable judgment of an English court.

18. I submit this affidavit solely for the specific purpose of contesting the forum in this case.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Executed on November 16th, 2012 at Paris, France

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Rémi Lefèvre-Moulenq

